

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

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LB 813

before the body is the adoption of AM1143. All those in favor vote aye; all those opposed vote nay. Record.

CLERK: 29 ayes, 1 nay, Mr. President, on the adoption of the Select File amendment.

SPEAKER KRISTENSEN: The amendment is adopted. Senator Smith.

SENATOR SMITH: Mr. Speaker, I move the advancement of LB 813 to E & R for engrossing.

SPEAKER KRISTENSEN: Question before the body is the readvancement of 813 to E & R for engrossing. All in favor say aye. Those opposed say nay. It's readvanced. Mr. Clerk.

CLERK: Senator Bohlke would move to return LB 813 to Select File for AM1188, Mr. President. (AM1188, Legislative Journal page 1359.)

SPEAKER KRISTENSEN: Senator Bohlke, you're recognized to open on your motion to return.

SENATOR BOHLKE: Thank you, Mr. President. This is a technicality brought to us from the Department of Education. One changes the "developmentally delayed" definition. In the first draft, the department recognized that they needed to correct the original language, and that's all that it does. The second issue is that it...we strike Section 50. Section 50 had said that you can't collect expenses that occurred 60 days prior to filing the claim. We remove that language. When we did that, a number of attorneys for school districts contacted the Department of Education and said that they thought that opened up a number of issues for schools that we would be allowing parents to file claims from years prior, and that certainly was not the intent. It was in reaction to the United States Department of Education, something that they had thought needed to be clarified. And so, in our conversations with our Department of Education, it was determined to strike Section 50, which we will just put back the original language and let them have the dialogue with the United States Department of Education to come up with better language that would not open up what would...the schools saw themselves becoming more vulnerable to